

# MEMORANDUM

Agenda Item No. 11(A)(13)

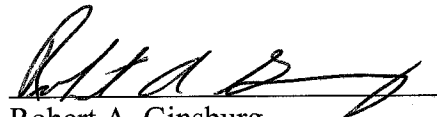
**TO:** Honorable Chairman Joe A. Martinez  
and Members, Board of County Commissioners

**DATE:** June 7, 2005

**FROM:** Robert A. Ginsburg  
County Attorney

**SUBJECT:** Resolution relating to  
educational facilities  
impact fees

The accompanying resolution was prepared and placed on the agenda at the request of Commissioner Bruno A. Barreiro.

  
Robert A. Ginsburg  
County Attorney

RAG/jls



# MEMORANDUM

(Revised)

**TO:** Honorable Chairman Joe A. Martinez  
and Members, Board of County Commissioners

**DATE:** June 7, 2005

**FROM:** Robert A. Ginsburg  
County Attorney

**SUBJECT:** Agenda Item No. 11(A)(13)

Please note any items checked.

\_\_\_\_\_ **"4-Day Rule" ("3-Day Rule" for committees) applicable if raised**

\_\_\_\_\_ **6 weeks required between first reading and public hearing**

\_\_\_\_\_ **4 weeks notification to municipal officials required prior to public hearing**

\_\_\_\_\_ **Decreases revenues or increases expenditures without balancing budget**

\_\_\_\_\_ **Budget required**

\_\_\_\_\_ **Statement of fiscal impact required**

\_\_\_\_\_ **Bid waiver requiring County Manager's written recommendation**

\_\_\_\_\_ **Ordinance creating a new board requires detailed County Manager's report for public hearing**

\_\_\_\_\_ **Housekeeping item (no policy decision required)**

\_\_\_\_\_ **No committee review**

Approved \_\_\_\_\_ Mayor

Agenda Item No. 11(A) (13)

Veto \_\_\_\_\_

06-07-05

Override \_\_\_\_\_

RESOLUTION NO. \_\_\_\_\_

RESOLUTION RELATING TO EDUCATIONAL FACILITIES  
IMPACT FEE; DIRECTING COUNTY MANAGER TO TAKE  
STEPS NECESSARY TO IMPLEMENT SECTION  
1002.33(18)(f), FLORIDA STATUTES, WHICH PROVIDES  
FOR DESIGNATION OF EDUCATIONAL FACILITIES  
IMPACT FEES GENERATED BY NEW DEVELOPMENT TO  
BE UTILIZED FOR THE CREATION OF PUBLIC CHARTER  
SCHOOLS TO SERVE SUCH DEVELOPMENT

**WHEREAS**, this Board has determined the importance of a mechanism to help facilitate the provision of educational facilities in tandem with residential development; and

**WHEREAS**, this Board recognizes the lag between the time when the educational facilities impact occurs and the time when relief (if any) is provided; and

**WHEREAS**, this Board hereby determines that it is essential to pursue expedited funding options in areas of substantial growth to meet the educational demands of new residential development at the time and place the development occurs; and

**WHEREAS**, public charter school student stations may lawfully be created to mitigate the educational impact of new residential development; and

**WHEREAS**, Section 1002.33(18)(f), Florida Statutes, authorizes counties that levy educational impact fees to enter into agreements with the owner(s) of property planned or approved for new residential dwelling units to designate the educational impact fees for the creation of public charter school student stations to ensure the timely construction of student stations concurrent with the expected occupancy of these residential units,

**NOW, THEREFORE, BE IT RESOLVED BY THE BOARD OF COUNTY  
COMMISSIONERS OF MIAMI-DADE COUNTY, FLORIDA, that:**

Section 1. The County Manager is hereby directed to take all steps necessary to implement the provisions of Section 1002.33(18)(f), Florida Statutes including creation of the mechanism for allowing the educational impact fees to a specific development or developments upon application by the developers or owners of the property proposed to be developed.

Section 2. The County Manager is further directed to provide to the Board of County Commissioners a status report on the implementation of this state law within thirty days from the effective date of this resolution.

The foregoing resolution was sponsored by Commissioner Bruno A. Barreiro and offered by Commissioner \_\_\_\_\_, who moved its adoption. The motion was seconded by Commissioner \_\_\_\_\_ and upon being put to a vote, the vote was as follows:

|                               |                          |
|-------------------------------|--------------------------|
| Joe A. Martinez, Chairman     |                          |
| Dennis C. Moss, Vice-Chairman |                          |
| Bruno A. Barreiro             | Dr. Barbara Carey-Shuler |
| Jose "Pepe" Diaz              | Carlos A. Gimenez        |
| Sally A. Heyman               | Barbara J. Jordan        |
| Dorrian D. Rolle              | Natacha Seijas           |
| Katy Sorenson                 | Rebeca Sosa              |
| Sen. Javier D. Souto          |                          |

The Chairperson thereupon declared the resolution duly passed and adopted this 7th day of June, 2005. This resolution shall become effective ten (10) days after the date of its adoption unless vetoed by the Mayor, and if vetoed, shall become effective only upon an override by this Board.

MIAMI-DADE COUNTY, FLORIDA  
BY ITS BOARD OF COUNTY  
COMMISSIONERS

HARVEY RUVIN, CLERK

Approved by County Attorney as  
to form and legal sufficiency.

CAC

Craig H. Collier

By: \_\_\_\_\_  
Deputy Clerk